

Senate File 188 - Introduced

SENATE FILE 188
BY BOULTON and KNOX

A BILL FOR

1 An Act relating to hate crimes, and providing penalties.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 692.15, subsection 7, Code 2023, is
2 amended to read as follows:

3 7. ~~The hate~~ Hate crimes listed in under [section 729A.2](#) are
4 subject to the reporting requirements of [this section](#).

5 Sec. 2. Section 729A.2, Code 2023, is amended to read as
6 follows:

7 **729A.2 Violation of individual rights — hate crime.**

8 "*Hate crime*" means ~~one of the following~~ any public offenses
9 offense when committed against a person or a person's
10 property because of the person's race, color, religion,
11 ancestry, national origin, political affiliation, sex,
12 sexual orientation, age, or disability, or the person's
13 association with a person of a certain race, color, religion,
14 ancestry, national origin, political affiliation, sex, sexual
15 orientation, age, or disability+. A hate crime shall be
16 classified and punished as an offense one degree higher than
17 the underlying offense.

18 ~~1. Assault in violation of individual rights under section~~
19 ~~708.2C.~~

20 ~~2. Violations of individual rights under [section 712.9](#).~~

21 ~~3. Criminal mischief in violation of individual rights~~
22 ~~under [section 716.6A](#).~~

23 ~~4. Trespass in violation of individual rights under section~~
24 ~~716.8, subsections 3 and 4.~~

25 Sec. 3. REPEAL. Sections 712.9 and 716.6A, Code 2023, are
26 repealed.

27

EXPLANATION

28 The inclusion of this explanation does not constitute agreement with
29 the explanation's substance by the members of the general assembly.

30 This bill relates to hate crimes and provides penalties.

31 Current law provides that "hate crime" means one of the
32 following public offenses when committed against a person
33 or a person's property because of the person's race, color,
34 religion, ancestry, national origin, political affiliation,
35 sex, sexual orientation, age, or disability, or the person's

1 association with a person of a certain race, color, religion,
2 ancestry, national origin, political affiliation, sex, sexual
3 orientation, age, or disability: assault in violation of
4 individual rights under Code section 708.2C; violations of
5 individual rights under Code section 712.9; criminal mischief
6 in violation of individual rights under Code section 716.6A; or
7 trespass in violation of individual rights under Code section
8 716.8(3)(4).

9 The bill provides that "hate crime" means any public offense
10 when committed against a person or a person's property because
11 of the person's race, color, religion, ancestry, national
12 origin, political affiliation, sex, sexual orientation, age,
13 or disability, or the person's association with a person of
14 a certain race, color, religion, ancestry, national origin,
15 political affiliation, sex, sexual orientation, age, or
16 disability. A hate crime shall be classified and punished as
17 an offense one degree higher than the underlying offense.

18 The bill makes conforming Code changes.